

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:

NTS W. USA CORP., A DELAWARE  
CORPORATION,

Debtor.

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Chapter 11

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Case No. 20-35769 (CGM)

**STIPULATION TO AMEND SCHEDULING ORDER SETTING  
PLAN CONFIRMATION HEARING AND RELATED DEADLINES**

The above-captioned debtor and debtor in possession, NTS W. USA Corp. (“DUSA” or “Debtor”), by and through its undersigned counsel, together with the Subchapter V trustee, Charles N. Persing (“Trustee”), and the Office of the United States Trustee, by and through its undersigned counsel, (the Debtor, the Trustee and the U.S. Trustee, collectively referred to as the “Parties”), hereby enter into this Stipulation (the “Stipulation”) to amend the *Scheduling Order Setting Plan Confirmation Hearing and Related Deadlines* [Dkt. No. 99] (“Scheduling Order”), the agreed facts and terms of which are enumerated as follows:

WHEREAS, on July 22, 2020 (the “Petition Date”), DUSA filed an emergency petition for chapter 11 bankruptcy relief under subchapter V of chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of New York (the “Court”);

WHEREAS, on September 15, 2020, the Court conducted the initial status conference, and subsequently entered the Scheduling Order, which set forth certain plan confirmation deadlines. Pursuant to the Scheduling Order, the hearing to consider confirmation of the Plan was scheduled for November 4, 2020 at 11:00 a.m. (EPT), with the deadlines for objections and ballot submissions set forth October 21<sup>st</sup> and 24<sup>th</sup>, respectively.

WHEREAS, on September 23, 2020, DUSA filed its *Chapter 11 Plan of Reorganization, Subchapter V* [Dkt. No. 91] (the “Plan”).

WHEREAS, the Parties have agreed to continue the plan confirmation hearing by two weeks to allow creditors and other parties of interest more time to consider DUSA’s plan of reorganization and the plan supplement contemplated therein.

WHEREAS, the Parties have agreed on new dates for the plan confirmation hearing as set forth in the *Amended Scheduling Order Setting Plan Confirmation Hearing and Related Deadlines* (“Amended Scheduling Order”), attached hereto as **Exhibit A**.

NOW, THEREFORE, subject to approval of the Court, it is hereby stipulated and agreed as follows:

1. The Parties agree and stipulate to the Amended Scheduling Order, which sets forth the following new agreed-upon dates and deadlines:
  - a. The hearing to consider confirmation of the Plan shall be continued to **November 18, 2020 at 11:00 a.m. (prevailing Eastern time)**.
  - b. The Debtor shall file the Plan Supplement (as that term is defined in the Plan) on or before **October 21, 2020**.
  - c. The Debtor shall file the Cure Schedule (as that term is defined in the Plan) on or before **October 30, 2020**.
  - d. Any objections to confirmation of the Plan shall be filed and served on counsel to the Debtor by **November 4, 2020**.
  - e. The deadline for Secured Creditors (if any) to make an election pursuant to Section 1111(b) of the Bankruptcy Code is **November 4, 2020**.
  - f. Completed ballots voting for or against the Plan must be received by counsel for the Debtor on or before **November 9, 2020**.
  - g. The Debtor shall file with the Court a ballot summary report containing the vote tabulation along with a brief in support of confirmation of the Plan on or before **November 11, 2020**.

*[Signatures on the Following Page]*

Dated: October 20, 2020

**Subchapter V Trustee**

/s/ Charles N. Persing

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**NTS W. USA Corp., the Debtor and Debtor-in-Possession**

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-and-

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